



Received at the Office of the City Clerk

Date: JAN 13 2021Time: 11:11 AMReceived by: Deborah M. PederciniFee: \$12.50

## CITY OF NORTH ADAMS, MASSACHUSETTS

## Planning Board

## SPECIAL PERMIT APPLICATION

ALL REQUIRED INFORMATION MUST BE SUBMITTED BY THE APPLICATION DUE DATE OR  
THE APPLICATION WILL NOT BE PROCESSED.

1. Name of applicant: Duncan Russell d/b/a Christo's Famous Pizza
2. Name of property owner (if different): Scarafoni Assoc Nominee Trust (David G. Carver, Trustee)
3. Name of legal counsel (if appropriate): James J. Sisto (413-664-7700)
4. Address of project: 20 Holden Street North Adams,
5. Zoning district(s) of project: CB-2 Allowed Use CBD
6. Use classification of project (consult use schedule): restaurant
7. The record title to project address stands in the name(s), address(es): Scarafoni Associates Nominee Trust, David G. Carver, Trustee

by a deed duly recorded in the Northern Berkshire Registry of Deeds in Book 737 Page 298

**A COPY OF THE PROPERTY DEED MUST BE ATTACHED TO THIS APPLICATION FOR  
THE APPLICATION TO BE PROCESSED.**

## 8. Type of special permit:

## a. Use permits:

- ☐ Nursery schools/day care
- ☐ Theaters, taverns
- ☐ Shopping centers
- ☐ Industrial uses
- ☐ Solid waste facilities
- ☐ Research, experimental and testing laboratories
- ☒ Other: Change of ownership

## b. Site plan approval: not required

- ☐ A change of use
- ☐ A change of land use
- ☐ New construction
- ☐ Addition to an existing use of a building or structure greater than 200 square feet
- ☒ Other: Change of ownership only

9. If the site plan approval is required:

- ☐ Site plan materials are attached with application. See application checklist.
- ☒ Narrative is attached. See attached checklist for criteria to be explained within narrative.
- ☐ Please check here if the property in any district\* will be creating or maintaining more than ten (10) new parking spaces. If yes, please provide detailed parking plan pursuant to Section 6 "Off Street Parking" in the North Adams Zoning Ordinance.
- ☐ Please check here if the proposed project will require additional signage. Please provide color elevation renderings of proposed signage. Please note if the dimensions, setback, duration, scale, or components of the signage will require a special permit by the Zoning Board of Appeals.
- ☐ Please check here if any part of the new construction will be sited within two hundred (200) feet of a river.\*\* If yes, please provide a drainage plan for the site that ensures that safe runoff into catch basins, culverts, swales, etc.

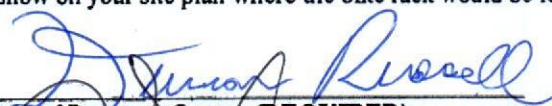
10. Determination of applicability from the Conservation Commission is:

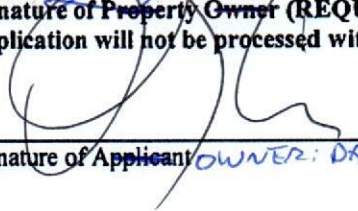
- ☐ Attached
- ☐ In progress. Hearing is scheduled for: \_\_\_\_\_
- ☒ Not required. Please explain why: not located within flood plain. Just continuing current business use.

11. Is a request for a Determination of Applicability from the Massachusetts Department of Environmental Protection necessary? No If yes, request was filed (date): \_\_\_\_\_

12. Are there other boards to which this proposed project would be providing information? If yes, please list board and date of hearing/meeting:  
\_\_\_\_\_  
\_\_\_\_\_

13. Would you be willing to add a bike rack to the exterior of your business? Not now If yes, please show on your site plan where the bike rack would be located.

  
Signature of Property Owner (REQUIRED) Applicant  
Application will not be processed without it.

  
Signature of Applicant/OWNER: DAVID CARVER,

- January 8, 2021  
Date

Duncan Russell  
Printed Name

518-308-9896  
Phone Number

125 Main Street, Apt. 6, Andover, MA 01810  
Address of Applicant

\*Excluding CBD districts

\*\*A river is defined as any natural flowing body of water that empties to any ocean, lake, or other river and which flows throughout the year. For additional information, please consult the Office of Community Development for information on the "Rivers Protection Act", Chapter 258, MGL c.131 40.



## **Christo's Famous Pizza: 20 Holden Street**

### **NARRATIVE**

Applicant, Duncan Russell is purchasing the assets of Christo's Famous Pizza from its current owner, Marie Giannaris. Applicant will continue operating the pizza restaurant and delivery service at its current location at 20 Holden Street and will continue leasing from the current landlord.

The building is a mixed used commercial property with residential housing located on the upper floors. The building is located in a CB-2 zone.

The operation of a restaurant is an allowed use under North Adams Use Regulations. A full site plan approval application is not being submitted since the Applicant is continuing the current use without making any interior/exterior modification or improvements, lighting or signage changes.

**Building:** No exterior changes are expected to be made to the foot print or facade of the building. Minimal cosmetic changes will be done to freshen up the restaurant.

**Premises Use:** Continued operation of Christo's Famous Pizza restaurant and pizza delivery service.

**Parking:** N/A

**Trash:** Rubbish containers shall be out of site from the road and located at the rear of the Premises in their current location. Trash will be picked up weekly.

**Signage:** No change to current signage is planned at this time.

**Drainage:** Drainage will be as it currently exists.

**Hours:** Hours of operation will continue to be 10 AM to 10 PM on Sunday - Thursday and 10AM to 11 PM Friday & Saturday

Card 1 of 1

Location 20 HOLDEN ST	Property Account Number	Parcel ID 126 0 H20
		Old Parcel ID --

## Current Property Mailing Address

Owner CARVER DAVID G TRUSTEE OF SCARAFONI ASSOC NOMINEE TRUST	City NORTH ADAMS
Address PO BOX 307	State MA
	Zip 01247
	Zoning

## Current Property Sales Information

Sale Date 3/22/1985	Legal Reference 737-298
Sale Price 195,392	Grantor(Seller)

## Current Property Assessment

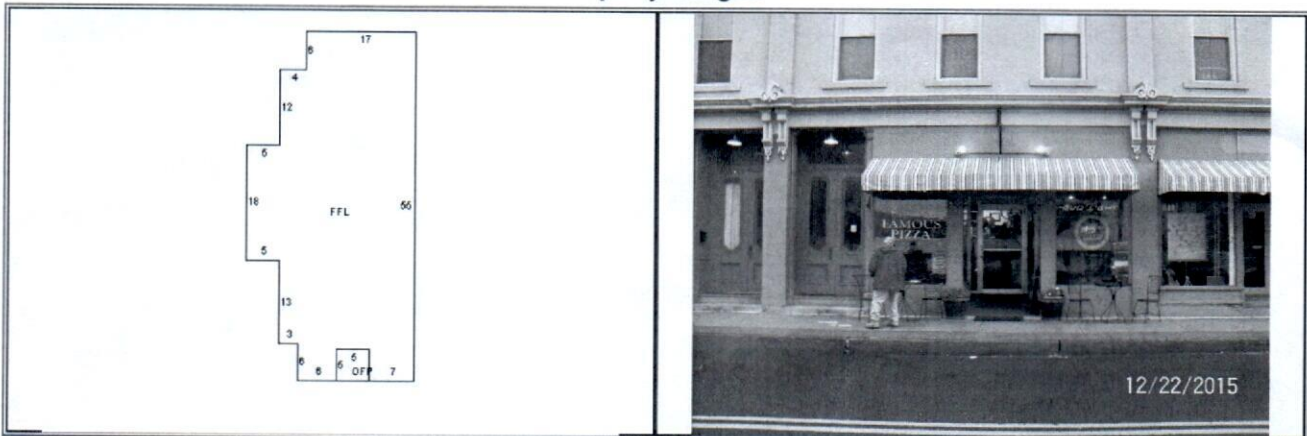
Year 2020	<u>Card 1 Value</u>
	Building Value 71,100
	Xtra Features Value 0
Land Area 0.000 acres	Land Value 0
	Total Value 71,100

## Narrative Description

This property contains 0.000 acres of land mainly classified as RST/BAR with a(n) CONDO-RTL style building, built about 1873 , having BRICK exterior and N/A roof cover, with 0 unit(s), 0 total room(s), 0 total bedroom(s), 0 total bath(s), 2 total half bath(s), 0 total 3/4 bath(s).

## Legal Description

## Property Images





126

0

H20

1 of 1

COMMERCIAL

TOTAL ASSESSED: 71,200

Map

Block

Lot

Lot

Lot

CARD

!5380!

## City of North Adams


**Patriot**  
Properties Inc.

## PROPERTY LOCATION

No	Alt No	Direction/Street/City
20		HOLDEN ST, NORTH ADAMS

## OWNERSHIP

Owner 1:	Unit#:
CARVER DAVID G TRUSTEE OF	
Owner 2:	SCARAFONI ASSOC NOMINEE TRUST
Owner 3:	
Street 1:	PO BOX 307
Street 2:	
Twn/City:	NORTH ADAMS
SUProv:	MA
Postal:	01247
Cntry:	
Own Occ:	Type:

## PREVIOUS OWNER

Owner 1:	
Owner 2:	
Street 1:	
Twn/City:	
SUProv:	
Postal:	
Cntry:	

## NARRATIVE DESCRIPTION

This Parcel contains . ACRES of land mainly classified as RST/BAR with a(n) CONDO-RTL Building Built about 1873, Having Primarily BRICK Exterior and N/A Roof Cover, with 0 Units, 0 Baths, 2 HalfBaths, 0 3/4 Baths, 0 Rooms, and 0 Bdrms.

## OTHER ASSESSMENTS

Code	Descrip/No	Amount	Com. Int

## PROPERTY FACTORS

Item	Code	Descip	%	Item	Code	Descip
Z				U		
o				t		
n				i		
Census:				Exmpt		
Flood Haz:						
D				Topo		
s				Street		
t				Traffic		

## LAND SECTION (First 7 lines only)

Use Code	Description	LUC Fact	No of Units	Depth / PriceUnits	Unit Type	Land Type	LT Factor	Base Value	Unit Price	Adj	Neigh	Neigh Infl	Neigh Mod	Infl 1	%	Infl 2	%	Infl 3	%	Appraised Value	Alt Class	%	Spec Land	J Code	Fact	Use Value	Notes
326	RST/BAR		0		SQUARE FESITE			0	0.	0.000	CB																

## IN PROCESS APPRAISAL SUMMARY

Use Code	Building Value	Yard Items	Land Size	Land Value	Total Value	Legal Description	User Acct
326	71,200		0.000		71,200		
Total Card	71,200		0.000		71,200	Entered Lot Size	
Total Parcel	71,200		0.000		71,200	Total Land:	
Source:	Market Adj Cost		Total Value per SQ unit /Card:	60.44	/Parcel:	60.44	Land Unit Type:
							Insp Date
							12/14/15

## PREVIOUS ASSESSMENT

Tax Yr	Use	Cat	Bldg Value	Yrd Items	Land Size	Land Value	Total Value	Asses'd Value	Notes	Date
2021	326	FV	71,200	0			71,200	71,200	Year End Roll	12/16/2020
2020	326	FV	71,100	0			71,100	71,100	Year End Roll	12/30/2019
2019	326	FV	70,400	0			70,400	70,400	Year End Roll	1/4/2019
2018	326	FV	59,400	0			59,400	59,400	Year End Roll	1/2/2018
2017	326	FV	58,800	0			58,800	58,800		11/7/2016
2016	326	FV	56,700	300			57,000	57,000	year end	12/3/2015
2015	326	FV	75,900	300			76,200	76,200	Year End Roll	12/18/2014
2014	326	FV	75,900	300			76,200	76,200		10/7/2013

## SALES INFORMATION

Grantor	Legal Ref	Type	Date	Sale Code	Sale Price	V	Tst	Verif	Assoc PCL Value	Notes
	737-298		3/22/1985		195,392	No	No			

## BUILDING PERMITS

Date	Number	Descip	Amount	C/O	Last Visit	Fed Code	F. Descip	Comment	Date	Result	By	Name
									12/14/2015	MEAS+INSPCTD	111	JIM KING
									3/18/2015	ABATE BOA	247	RAV
									3/10/2015	ABATE INSPEC	247	RAV
									4/27/2009	PERMIT INSPE	185	C. LAMARRE

Sign:

Total AC/HA: 0.00000    Total SF/SM: 0.00    Parcel LUC: 326    RST/BAR    Prime NB Desc: CNT BSNS

Disclaimer: This Information is believed to be correct but is subject to change and is not warranted.    Database: AssessPro

Total:    Spl Credit:    Total:

jlincoir

2022







BOOK 737 P. 298  
031885

## KNOW ALL MEN BY THESE PRESENTS

THAT I RICHARD E. SCARAFONI of Cold Spring Road, Williamstown, Berkshire County, Massachusetts, for consideration of ONE HUNDRED NINETY FIVE THREE HUNDRED NINETY TWO (\$195,392.00) being the outstanding balance of the First and Second Mortgages listed below, as this conveyance constitutes a transfer and not a sale, grant to DAVID G. CARVER, of North Adams, Berkshire County, Massachusetts, Trustee of SCARAFONI ASSOCIATES NOMINEE TRUST, by Declaration of Trust dated December 27, 1984 and recorded with the Berkshire Middle District Registry of Deeds in Book 1108, Page 97&c, and amended by the Certificate of Trustee dated December 31, 1984 and recorded with said Registry of Deeds in Book 1112, Page 625, and the First Amended and Restated Declaration of Trust dated December 31, 1984 and recorded with said Registry of Deeds in Book 1112, Page 626&c (the "Declaration of Trust"), whose principal place of business is 103 Main Street, North Adams, Massachusetts, with WARRANTY COVENANTS, the land with the improvements thereon in North Adams, Berkshire County, Massachusetts, being more particularly bounded and described as follows:

67-71 MAIN AND HOODIN STREET, NORTH ADAMS

See Lien  
Book 979 Page 361

See Certificate of Municipal Liens:  
Book 819, Page 1

See Special Permit  
Book 1012 Page 306

See Special Permit  
Book 1079 Page 344

See Special Permit  
Book 1241 Page 952

See Special Permit  
Book 1017 Page 925

See Special Permit  
Book 1298 Page 83

See Special Permit  
Book 1110 Page 229

See Special Permit  
Book 1084 Page 466

See Special Permit  
Book 1302 Page 1040

See Special Permit  
Book 1158 Page 405

See Special Permit  
Book 1324 Page 636

BOOK 737 P 299

Bounded on the north by Center Street; on the east by land of the City of North Adams and land conveyed to J.J. Newberry Co. by deed dated September 3, 1968, and recorded in the Northern Berkshire Registry of Deeds in Book 621, Page 592; on the south by Main Street and on the west by Holden Street. Together with all the rights, easements, privileges and appurtenances belonging to said premises.

This conveyance is made subject, however, to the rights, if any, there by which any party or parties may have in, over and upon any part of the above described premises lying east of the buildings now standing upon said premises including the twenty foot right of way set out in the above described deed to J.J. Newberry Co. and subject also to a possible right of the said J.J. Newberry Co. to maintain a cornice that overhangs the most easterly portion of the building on the premises herein being conveyed.

Together with any right, title or interest the Grantor may have in and to the portions of Main Street and Holden Street abutting the above described premises.

Meaning and hereby conveying the premises described in deed of Susan E. Blackinton to William B. Sullivan and John F. Sullivan dated December 22, 1921, and recorded in the Northern Berkshire Registry of Deeds in Book 357, Page 532.

Being the same premises conveyed to Richard E. Scarafoni by deed of James F. Boulger, Trustee, dated October 21, 1970 and recorded with the Northern Berkshire Registry of Deeds in Book 635, Page 599 (see Conformatory Deeds recorded with said Registry in Book 669, Pages 137, 139, 141, 143 and 145).

Subject to: Lease to England Brothers, Inc., a notice of which is recorded with said Registry in Book 669, Page 147.

Subject to: an Architectural Facade Easement granted to Housing Now, Inc. dated January 24, 1983 and recorded with said Registry in Book 717, Page 270.

Subject to: First Mortgage from Richard E. Scarafoni to Williamstown Savings Bank dated February 17, 1979 and recorded with said Registry in Book 669, Page 149, in the original principal amount of \$200,000 with an outstanding balance of \$80,570.00.

Subject to: Second Mortgage from Richard E. Scarafoni to First Agricultural Bank dated March 15, 1984 and recorded with said Registry on July 25, 1984 in Book 730, Page 836c, in the original principal amount of \$250,000 with an outstanding balance of \$114,822.00.



737 E 300  
200

Subject to: Third Mortgage from Richard E. Scarafoni to First Agricultural Bank dated November 14, 1984 and recorded with said Registry on November 15, 1984 in Book 734, Page 102&c, securing a line of credit in the amount of \$315,000, under which no advances have been made with respect to the mortgaged premises.

Grantee herein assumes and agrees to pay said First Mortgage and Second Mortgage, provided that the liability of Grantee under said mortgages is limited to recourse to the trust property held by the Grantee as Trustee under the Declaration of Trust.

Witness my hand and seal this 22 day of March,  
1985.

  
RICHARD E. SCARAFONI

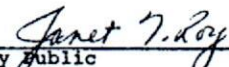
## COMMONWEALTH OF MASSACHUSETTS

BERKSHIRE, SS:

March 22, 1985

Then personally appeared the above-named RICHARD E. SCARAFONI and acknowledged the foregoing instrument to be his free act and deed, before me,



  
Notary Public  
My Commission Expires: 11-16-90

Received &amp; entered for record

Mar. 22, 1985 AT 3:22 M. L M